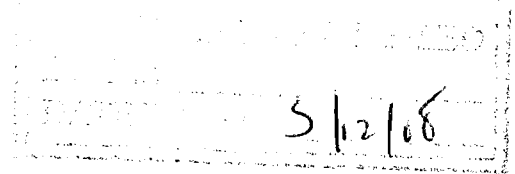


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
UNITED STATES COURTHOUSE  
40 FOLEY SQUARE  
NEW YORK, NEW YORK 10007-1581

CHAMBERS OF  
DEBRA FREEMAN  
UNITED STATES MAGISTRATE JUDGE

May 8, 2008

Mr. Jesse M. Smith  
209 Clinton Avenue, #1F  
Brooklyn, NY 11205



**Re: *Smith v. R&J Construction Corporation***  
**No. 08 Civ. 34324 (JSR) (DF)**

Dear Mr. Smith:

This case has been referred to me by Judge Rakoff for general pretrial supervision.

You are required to arrange for prompt service of the Summons and Complaint on the defendants by filling out and forwarding to the U.S. Marshal the forms provided to you by this Court's Pro Se Office.

Rule 4(m) of the Federal Rules of Civil Procedure provides:

**Summons: Time Limit for Service.** If service of the summons and complaint is not made upon a defendant within 120 days after the filing of the complaint, the court, upon motion or on its own initiative after notice to the plaintiff, shall dismiss the action without prejudice as to that defendant or direct that service be effected within a specified time; provided that if the plaintiff shows good cause for the failure, the court shall extend the time for service for an appropriate period. This subdivision does not apply to service in a foreign country pursuant to subdivision (f) or (j)(1).

The Complaint in this action was filed on April 8, 2008. Accordingly, if service is not made upon the defendant by August 6, 2008 and you have not shown good cause for such failure to serve, I will recommend to Judge Rakoff that the action be dismissed.

5/12/08  
Jesse M. Smith  
209 Clinton Avenue, #1F  
Brooklyn, NY 11205